

REMARKS

Applicants appreciate the thorough examination of this application as evidenced by the Office Action, and appreciate the Examiner's indication that Claims 16-22, 52-56, and 75-80 would be allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims. Applicants have not amended Claims 16-22, 52-56, and 75-80 to independent form because they submit that amended independent claims 3, 44, and 68, and the claims now depending therefrom, are patentable over the cited references for at least the reasons explained below.

Amended Independent Claims 3, 44, and 68 are Not Anticipated by Cossatto et al.:

Claims 3, 44, and 68 have been amended to independent form including their respective base claims and any intervening claims, and to further clarify patentable distinctions over Cassatto. Original independent Claims 1, 43, and 67 have been canceled. The other pending claims have been amended to depend direct or indirectly from independent Claims 3, 44, and 68. Claim 2 has been canceled as repetitive of Claim 3.

Claims 3, 44, and 68 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent no. 6,112,177 to Cossatto et al.. (hereinafter "Cossatto").

Amended independent Claim 3 recites (emphasis added):

3. A method of enhancing audio renderings of non-audio data sources, comprising:

detecting a nuance of a non-audio data source;

locating an audio cue corresponding to the detected nuance; and

associating the located audio cue with the detected nuance for playback to a listener, wherein detecting a nuance of a non-audio data source detects a plurality of nuances of the non-audio data source, locating an audio cue locates audio cues for each of the detected nuances, and associating the located audio cue with the detected nuance for playback to a listener associates each of the located audio cues with the respective detected nuance, and further comprising:

creating an audio rendering of the non-audio data source; and
mixing the associated audio cues in with the audio rendering to
generate integrated sounds therefrom to the listener.

Accordingly, Claim 3 recites that audio cues, which correspond to detected nuances in a non-audio data source, are mixed in with an audio rendering of the non-audio data source to generate integrated sounds therefrom to a listener.

Applicants submit that at least the above-underlined recitations of Claim 3 are not disclosed by Cossatto.

Cossatto is directed to "a method for generating talking heads in a text-to-speech synthesis application which provides realistic-looking coarticulation effects." (Cossatto, Col. 1, lines, 6-9). More particularly, Cossatto describes an animation process by which a person's facial expressions are sensed while that person is talking so as to develop an animation and coarticulation library. The library is later used to generate visually animated talking-head sequences while data is converted to spoken words. (See. Cossatto, FIGs. 3a-b). For example, FIG. 3b of Cossatto shows in blocks 218-225 that mouth parameters are selected based on a phoneme sequence that is to be spoken, and the selected mouth parameters are then used to "form [a] whole image" (block 220) at the same time that associated speech is output (block 222). Thus, Cossatto associates information useful for generating *visual* talking heads with data useful for generating spoken words. Nowhere does Cossatto appear to disclose that the information for generating visual talking heads is mixed with the data for generating speech so as to generate *integrated sounds* therefrom.

Accordingly, Cossatto does not appear to disclose that *audio cues* are located that correspond to detected nuances of a non-audio data source. Nor does Cossatto disclose that such associated *audio cues* would be mixed with an *audio rendering* of the non-audio data source *to generate integrated sounds* therefrom to a listener.

For at least these reasons, Applicants submit that Cossatto does not anticipate Claim 3 because it does not disclose at least the underlined recitations of Claim 3.

Amended independent Claims 44 and 68 are system and computer program products claims that contain recitations that correspond to the method of Claim 3, and are submitted to not be anticipated by Cossatto for at least the reasons explained above for Claim 3, and which are not repeated here for brevity.

Accordingly, Applicant requests withdrawal of the rejection of independent Claims 3, 44, and 68.

The dependent claims are submitted to be patentable at least per the patentability of the independent claims from which they depend. Moreover, these claims are submitted to provide independent basis for patentability.

Dependent Claims 6, 7, 8, 46, 47, and 70 are Not Anticipated by Cossatto et al.:

Claims 6 and 46 each recite that at least one of the detected nuances is an indication of the presence of a formatting tag of the non-audio data source. In rejecting Claims 6 and 46, the Office Action on Page 4 cites to Col. 8, lines 25-39 of Cossatto. However, the cited portion of Cossatto discloses a process for sampling an image of a person talking, sampling movement of the person's lips, and sampling sound as the person speaks a designated phoneme sequence. Nowhere does Cossatto appear to disclose that a nuance is detected in a non-audio data source that is indicative of the presence of a formatting tag. Accordingly, Applicants submit that Cossatto does not anticipate either of Claims 6 and 46.

Claims 7 and 70 each recite that the non-audio data source is a text file and at least one of the detected nuances is a change in color of text in the text file. The Office Action contends on Pages 4 and 8 that Claims 7 and 70 are disclosed by Cossatto at Col. 9, lines 18-31, and Col. 10, lines 21-26. However, neither the cited portion of Cossatto nor elsewhere does it disclose that the color of text in a text file can be used for a particular purpose or, much less, that it could be used as a nuance in a non-audio data source as recited in Claims 7 and 70. Accordingly, Applicants submit that Cossatto does not anticipate either of Claims 7 and 70.


Claims 8 and 47 each recite that the non-audio data source is a text file and at least one of the detected nuances is a change in font of text in the text file. The Office Action contends on Pages 4 and 6 that Claims 8 and 47 are disclosed by Cossatto at Col. 9, lines 18-31 and 33-40 and Col. 10, lines 21-26 and 11-26. However, neither the cited portion of Cossatto nor elsewhere does it disclose that the font of text within a text file can be used for a particular purpose or, much less, that it could be used as a nuance in a non-audio data source as recited in Claims 8 and 47. Accordingly, Applicants submit that Cossatto does not anticipate either of Claims 8 and 47.

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CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David K. Purks", with a stylized flourish at the end.

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